



CITY OF
HAYWARD
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DATE: February 2, 2010
TO: Mayor and City Council
FROM: City Clerk
SUBJECT: Adoption of Ordinance Adding Article 23 to Chapter 10 of the Hayward Municipal Code Establishing Indoor Water Use Efficiency Standards

RECOMMENDATION

That the City Council adopts the Ordinance introduced on January 26, 2010.

BACKGROUND

The ordinance was introduced by Council Member Halliday at the January 26, 2010, meeting of the City Council, with an amendment to the Indoor Water Use Efficiency Table under Section 10-23.05, that the requirement for submeters does not apply to multifamily residential remodels. The ordinance was approved with the following vote.

AYES:	Council Members:	Zermefio, Quirk, Halliday, May, Henson, Dowling
	Mayor	Sweeney
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

The ordinance was published in the Hayward Daily Review on Saturday, January 30, 2010. Adoption at this time is therefore appropriate.

Recommended by: Miriam Lens, City Clerk

Approved by:

Gregory T. Jones, City Manager

Attachment: Draft Ordinance Published on January 30, 2010

**PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE
BY THE CITY COUNCIL OF THE CITY OF HAYWARD**

AN ORDINANCE ADDING ARTICLE 23 TO CHAPTER 10 OF THE HAYWARD
MUNICIPAL CODE ESTABLISHING INDOOR WATER USE EFFICIENCY STANDARDS

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Findings and Determinations

Section 2. Upon the effective date of this Ordinance, Article 23 of Chapter 10 of the Hayward Municipal Code is hereby enacted to read as follows:

**ARTICLE 23
CITY OF HAYWARD INDOOR WATER USE EFFICIENCY ORDINANCE**

SECTION	SUBJECT MATTER
10-23.01	Title
10-23.02	Definitions
10-23.03	Coordination with Plumbing Code
10-23.04	Applicability
10-23.05	Minimum Indoor Fixture Requirements
10-23.06	Compliance with Ordinance
10-23.07	Components of Indoor Water Use Efficiency Checklist
10-23.08	Penalties and Enforcement
10-23.09	Public Education

Section 3. Severability. Should any part of this Ordinance be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of the City, such decision shall not affect the validity of the remainder of this Ordinance, which shall continue in full force and effect, provided that the remainder of the Ordinance, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the City Council.

Section 4. Effective Date. In accordance with the provisions of Section 620 of the City Charter, this Ordinance shall become effective 30 days from and after the date of its adoption.

Introduced at a meeting of the Hayward City Council held January 26, 2010, the above-entitled ordinance was introduced by Council Member Halliday.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on February 2, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the office of the City Clerk.

Dated: January 30, 2010
Miriam Lens, City Clerk, City of Hayward